

Interim Use Permit

Starting the Application Process

- ☐ You must discuss proposed special use and interim use permits with Planning Staff prior to submitting an application. Call 218-730-5580 to schedule a pre-application meeting.
 - Make sure to get a Pre-App Verification at this meeting; you will need to submit this with your application.
- ☐ Submit your application materials to the One Stop Shop, Room 210 City Hall, by the Planning Commission Deadline. Your application must include the following:
 - ☐ Application Cover Sheet
 - ☐ Pre-App Verification
 - ☐ Required fee
 - ☐ Site plan
 - ☐ Other materials needed to confirm compliance with applicable standards, to be determined at the pre-application meeting:

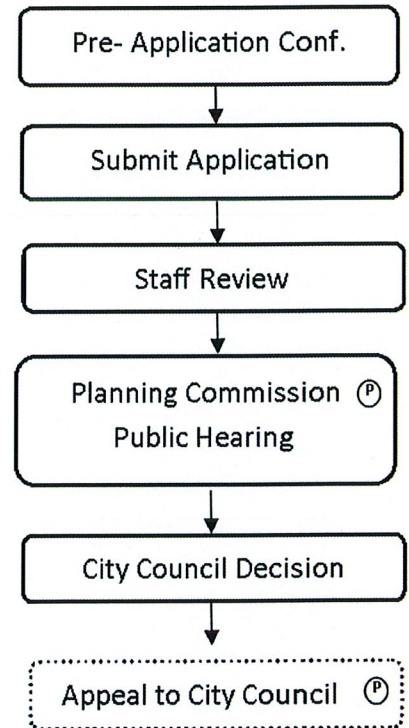
- ☐ Development agreement

Public Notice

A mailed notice will be sent to property owners within 350 feet.

- ☐ You are required to post a sign notice on the property at least two weeks before the date of the public hearing. See UDC Section 50-37.1.H for information on size, placement, and content of each sign; you may want to contact a sign company or printing company to have the sign made. You must provide evidence that the signs were in place; submit photo(s) of the signs to the Planning Division at least two weeks before the date of the public hearing.

Interim Use Permit



(P) Indicates Public Hearing Required

Important Dates

Application Deadline:

Sign Notice Placed:

Planning Commission:

City Council*:

Effective*:

**Please note that these dates are approximate guidelines and may change*

Staff Review

Planning staff will evaluate your application and prepare a staff report. When considering a recommendation for a special use or interim use, Planning Staff generally review the Comprehensive Plan (including the Future Land Use Map, Governing Principles, and Policies), surrounding land uses and zoning, individual factors that are unique or special to the proposal, compliance with any approved district plan for the area, any additional UDC criteria, and other related factors.

Planning Commission Hearing

You will be notified when a Planning Commission hearing is scheduled for your application. Planning Commission meetings are scheduled at 5:00 pm on the second Tuesday of each month. The Planning Commission will hold a public hearing and make a recommendation.

City Council Decision

The Planning Commission decision will be forwarded to City Council in the form of a resolution. City Council will make a decision whether to approve the permit, approve it with modifications, or deny it.

The City Clerk's office will send notice of the Council action to the applicant.

Note that other city codes may apply to your project. Please be aware of any applicable Building code (Construction Services Division), Fire code (Life Safety Division), and stormwater/engineering (Engineering Division) regulations. The zoning approval may be only the first step in a several step process.

owner of property located partly or entirely within 350 ft. of the area to be rezoned. Failure to give mailed notice as required by this section or any defect in the notice given shall not invalidate any action of the planning commission or council, provided that a bona fide attempt to comply with this section has been made.

- (c) **Sign notice** means a sign with minimum dimensions of 24 in. by 30 in. posted as close as reasonably possible to each street frontage on the applicant's property with the text between 3 and 5 ft. above grade level, with a title line reading "Zoning Notice" in letters at least 3 in. tall, and with the remainder of the text in letters at least ½ in. tall. Each sign must be posted at least two weeks before the date of the public hearing, and must remain in place and legible through the date of the public hearing as shown on the sign. If the sign will not be legible at the stated height due to snow accumulations it may be placed higher, but at the lowest elevation that will be legible to the public. If snow obscures the sign during the posting period, the snow shall be removed and/or the sign shall be relocated so as to be legible within 24 hours after snowfall ends. Evidence produced at or before the public hearing that one or more of the required signs were not in place or legible throughout that period shall be grounds for postponement of the public hearing and a requirement to repost the property. Required signs may not be posted in any portion of the public right-of-way.

2. Content of Notice

Each required notice shall include the following information:

- (a) The name of the applicant;
- (b) The address of the property;
- (c) A narrative description of the project including the proposed land uses, size (in sq. ft.) and height (in ft. and stories) of any proposed buildings or building expansions;
- (d) The type of permit or approval being sought;
- (e) Contact information where additional information can be obtained from the applicant (which may be an address, telephone number, web site, or e-mail address or other electronic site or method);
- (f) Contact information for the assigned city staff member;
- (g) The date, time and place of the public hearing.

3. Special Notice Provision for Appeals

In the case of an appeal to the planning commission or council pursuant to Section 50-37.1.O, mailed notice shall be provided to any interested parties that were notified of the original application and the right to receive notice of any appeal, and who have notified the city in writing that they would like to receive notice of the appeal.

I. Public Hearings

- 1. Public hearings before the planning commission and public hearings before the council on matters related to this Chapter shall be conducted pursuant to rules and practices established by each of those bodies and in compliance with state law.
- 2. Attendance shall be open to the public.
- 3. All hearing and decision timeframes shall comply with MSA 15.99.



City of Duluth
Planning and Construction Services

411 West First Street • Room 210 • Duluth, Minnesota • 55802-1194
218-730-5240 • Fax: 218-730-5901 • www.duluthmn.gov/onestop/

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APPLICATION COVER SHEET

Check One Box

- ☐ Appeal to Planning Commission - **\$350**
- ☐ Concurrent Use of Streets Permit - **\$700**
- ☐ District Plan Adoption or Amendment- **\$1,000**
- ☐ Environmental Review (EAW or EIS)- **\$2,500**
- ☐ Historic
 - ☐ Construction/Demolition - **\$50**
 - ☐ Resource Designation - **\$75**
- ☐ Interim Use Permit **\$650**
- ☐ Planning Review - **\$800**
- ☐ Sidewalk Use Permit - **\$100**
- ☐ Special Use Permit, General - **\$800**
- ☐ Special Use Permit, Wireless Telecommunications
 - ☐ Modifying or Co-locating – **\$2,500**
 - ☐ New Facility or Tower – **\$5,000**
 - ☐ Escrow Deposit - **\$8,500**
- ☐ Subdivision Plat Approval or Amendment:
 - ☐ Concept Plan - **\$250**
 - ☐ Preliminary Plat - **\$1000**
 - ☐ Final Plat - **\$750**
 - ☐ Minor Subdivision/RLS- **\$400**
 - ☐ Plat Amendment or Boundary Line Adjustment - **\$250**
- ☐ UDC Zoning Map (Rezoning) Amendment - **\$800**
- ☐ Vacation of Street or Utility Easement - **\$700**
- ☐ Variance - **\$600**
- ☐ Wetland,
 - ☐ De Minimis, Delineation, or No Loss- **\$150**
 - ☐ Replacement Plan - **\$400**
- ☐ Zoning Verification Letter-**\$85**

CONTACT INFORMATION:

Applicant/Owner _____

Phone _____ Email _____

Address _____

City _____ State _____ Zip _____

Owner's Agent (if applicable) _____

Phone _____ Email _____

Address _____

City _____ State _____ Zip _____

APPLICATION INFORMATION:

Street Address and Zoning of Property _____

Parcel ID Number _____

Describe the Reasons for this Request (Attach Additional Pages if Necessary):

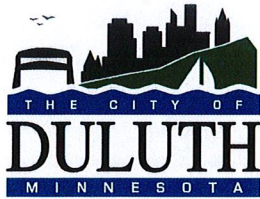
The undersigned hereby represents upon all of the penalties of law for the purpose of inducing the City of Duluth to take the action herein requested, that all statements herein and attached are true and that all work herein mentioned will be done in accordance with the Ordinances of the City of Duluth and the laws of the State of Minnesota.

Signature of Applicant _____

Date _____

Reminder: include application checklist (if applicable) and all supporting information. Submit completed information to Room 210, One Stop Shop.

Notice: documents provided to the City may be public data.



City of Duluth
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
218-730-5580 • Fax: 218-730-5904 • www.duluthmn.gov

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Vacation Rentals Regulations

Vacation rental units are defined in the City of Duluth Legislative Code Chapter 50 (Unified Development Chapter) as Vacation Dwelling Units and Accessory Vacation Dwelling Units and are subject to the regulations described here.

Vacation Dwelling Unit – a habitable unit in a dwelling providing sleeping, cooking, eating, living and sanitation facilities that are physically separated from other habitable units that may or may not be located in the same building for periods of occupancy from 3 to 21 days. This use does not include hotels, motels, or bed and breakfasts.

Accessory Vacation Dwelling Unit – an accessory dwelling unit as defined by this chapter that is used for periods of occupancy from 3 to 21 days.

Vacation Dwelling Units and Accessory Vacation Dwelling Units are allowed as an Interim Use in RR-1, RR-2, R-1, R-2, R-P, MU-N, and F-5 districts. All vacation rentals must obtain an Interim Use Permit.

Vacation Dwelling Unit Interim Use Permit Standards:

1. The minimum rental period shall be as follows:
 - a. For properties zoned RR-1, RR-2, R-1, and R-P the minimum rental period shall not be less than 2 nights except for the period from June 15 to September 15 when the minimum rental period shall not be less than 5 nights;
 - b. For properties zoned R-2, MU-N, and F-5 the minimum rental period shall not be less than 2 nights except for the period from June 15 to September 15 when the minimum rental period shall not be less than 3 nights.
2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two.
3. Off-street parking shall be provided at the following rate:
 - a. 1-2 bedroom unit, 1 space
 - b. 3-4 bedroom unit, 2 spaces
 - c. 5+ bedroom unit, 3 spaces
4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.
5. The property owner must obtain all licenses and permits from the City of Duluth and State of Minnesota required for guest occupancy on the property for 3 to 21 days.
6. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.
7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first.

Accessory Vacation Dwelling Unit Interim Use Permit Standards:

An accessory vacation dwelling unit may be created within, or detached from, any one-family dwelling or vacation dwelling unit in those districts shown where allowed by Table 50-19.8, provided these standards are met:

1. Only one accessory vacation dwelling unit may be created per lot.
2. No variances shall be granted for an accessory vacation dwelling unit.
3. An accessory vacation dwelling unit shall contain no more than 800 square feet of floor area and shall be consistent in character and design with the primary dwelling.
4. If a separate outside entrance is necessary for an accessory vacation dwelling unit located within the primary building, that entrance must be located either on the rear or side of the building.
5. The minimum rental period shall be as follows:
 - a. For properties zoned RR-1, RR-2, R-1, and R-P the minimum rental period shall not be less than 2 nights except for the period from June 15 to September 15 when the minimum rental period shall not be less than 5 nights;
 - b. For properties zoned R-2, MU-N, and F-5 the minimum rental period shall not be less than 2 nights except for the period from June 15 to September 15 when the minimum rental period shall not be less than 3 nights.
6. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two.
7. Off-street parking shall be provided at the following rate:
 - a. 1-2 bedroom unit, 1 space
 - b. 3-4 bedroom unit, 2 spaces
 - c. 5+ bedroom unit, 3 spaces
8. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.
9. The property owner must obtain all licenses and permits from the City of Duluth and State of Minnesota required for guest occupancy on the property for 3 to 21 days.
10. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.
11. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first.

In addition to the UDC Interim Use Permit requirements listed above, Vacation Dwelling Units and Accessory Vacation Dwelling Units must adhere to the following regulations:

1. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice.
2. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.
3. Permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary. The permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.
4. Permit holder must disclose in writing to their guests the following rules and regulations:
 - a. The managing agent or local contact's name, address, and phone number;

- b. The maximum number of guests allowed at the property;
 - c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
 - d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 - e. Applicable sections of City ordinances governing noise, parks, parking and pets;
5. If a permit holder is cited for any nuisance event as described in Chapter 40, Article III of the Duluth Legislative Code, the Land Use Supervisor may suspend the Interim Use Permit for 90 days. If the permit holder is cited for any nuisance event a second time, the Interim Use Permit shall be revoked.
 6. Permit holder must post their permit number on all print, poster or web advertisements;
 7. Prior to rental, the building must be inspected and an Operational Permit issued by the Fire Prevention office. Contact the Fire Prevention office at 218-730-4397 or 218-730-4399 for information.
 8. Permit holder must apply for and be granted State and local sales tax numbers, including Hotel and Motel Use Sales Tax.

Minnesota State Building Code Requirements

The following summarizes applicable Minnesota State Building Code regulations for vacation rental units as defined in the Duluth Unified Development Chapter. Contact a Plans Examiner in the Construction Services Division at 218/730-5300 with questions about building code requirements.

One and Two Family Dwellings

Use of existing one and two family dwellings not more than three stories above grade plane in height with separate means of egress as vacation rentals is not a change of use for purposes of building code applicability.

Additions, alterations and repairs to one and two family dwellings not more than three stories above grade plane in height with separate means of egress must comply with the Minnesota State Residential Code.

The Minnesota Accessibility Code does not apply to one or two family dwellings. Owners of vacation rental properties should research federal regulations related to accessibility.

Three and More Dwelling Units

Conversion of apartments in buildings with three or more units to rentals of less than 30 days duration is a change of use from an R-2 occupancy (permanent) to an R-1 occupancy (transient.) A permit is required for a change of use and plans and a code summary prepared by a Minnesota licensed architect showing compliance with applicable provisions of the Minnesota State Building Code must be submitted for review with the permit application.

Required alterations will vary with each building. Owners should consult with a licensed architect for an evaluation of changes needed to comply with applicable building code provisions.

Additional Contacts

To comply with the new Interim Use Permit you will also need to do the following, if you have not already done so:

- 1.) Obtain a **Hotel/Motel License** from the City Clerk's office by calling 218-730-5500 or visiting <http://www.duluthmn.gov/clerk/permits/hotlmotl.cfm>.
- 2.) Obtain a **Lodging License** from the State Department of Health by calling Sara Schaffer, 218-302-6184, or visiting <http://www.health.state.mn.us/divs/eh/food/license/index.html>.
- 3.) Obtain a **Fire Operational Permit** from the City's Fire Prevention by calling 218-730-4397 or 218-730-4399.
- 4.) Obtain State **Tax Identification Numbers** by calling 651-282-5225 or visiting <http://www.duluthmn.gov/clerk/permits/salestax.cfm>.
- 5.) Obtain a permit for **City of Duluth Tourism Tax** by contacting Ruthann Grace in the City Treasurers office at 218-730-5047 or rgrace@duluthmn.gov.



Selected City Ordinances on Parking, Parks, Pets & Noise

Thanks for choosing to visit our wonderful city. The summary of ordinances below was assembled to answer commonly asked questions related to vehicle parking, park use, pets and noise. We hope you enjoy all that Duluth has to offer and that you'll return again soon!

Vehicle Parking Rules:

Sec. 33-82. Prohibitions generally.

(c) No person shall, for the purpose of camping, lodging, or residing therein, leave or park a vehicle or motor vehicle on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a camp site;

Sec. 33-85. Parking more than 24 consecutive hours prohibited.

No vehicle shall be left standing or parked more than 24 consecutive hours on any street or highway within the city.

Sec. 33-97.8. Alternate side parking.

Except where signs direct otherwise, all vehicles parked on streets in Duluth must observe the alternate side parking program to enable street cleaning, plowing, and other maintenance. All vehicles must be parked on the side of the street designated for parking for the week with house numbers that are either odd or even, see <http://www.duluthmn.gov/> for the designation of "odd" or "even" side parking for the week. The following week vehicles must be parked on the opposite side of the street. Every Sunday between the hours 4:00 p.m. and 8:00 p.m. shall be a changeover period and the provisions of this Section shall not be in force during such time.

Park Rules:

Sec. 35-9.3. Use of parks between certain hours prohibited without prior registration.

Nearly all parks and beaches in Duluth are closed to public use after 10:00 p.m., including the beaches along Park Point.

Sec. 35-6. Vehicles, parking and recreational trails and paths.

(b) No person shall operate any motor vehicle or bicycle or ride a horse in any area of any park except on the roadway portion of streets, or highways, or parking areas in such park.

Many of the trails in Duluth are reserved for specific users year round or only during certain times of the year. This information is posted near trailheads to designate where bicycles, skis, and hikers are allowed. Direction of travel for trails may also be designated. Please observe these rules.

Additionally, winter use of ski trails within the City of Duluth requires that users have a DNR Ski Pass. See <http://www.dnr.state.mn.us/licenses/skipass/index.html> for more info. on obtaining this pass.

Sec. 35-7. Setting fires, prohibited.

(a) Except as provided in this Section, no person shall start or maintain any fire or hot coals in any park other than in designated park grills or privately owned grills suitable for the purpose for which they are used;

(c) The director of parks and recreation or the fire chief may ban all burning, including burning in grills, in parks at times of high fire danger.

It is a violation of this section to create a recreational fire on the beaches of Park Point.

Sec. 35-8. Prohibited activities.

Within any public park, no person shall:

(a) Discharge any firearm, air gun, crossbow, bow and arrow, slingshot or other missile firing device, provided that the director of parks may, by written permit, authorize archery exhibitions and contests

(b) Do any hunting or trapping or in any other manner disturb or injure or attempt to disturb or injure any animal, including birds;

(c) Urinate or defecate anywhere but in a proper toilet facility;

(d) Throw, deposit or place or cause to be thrown, deposited or placed any papers, bottles, cans or any other garbage or waste at any place except into a trash container;

(e) Tip over any trash container or otherwise cause the contents of a trash container to be deposited on the ground;

(i) Possess any glass beverage container while outside of a motor vehicle;

(j) Consume alcoholic beverages or possess opened or unopened alcoholic beverages.

Sec. 35-2. Animals running at large, animal control.

(a) No dogs, cats or other domestic pets shall be allowed to run at large upon any park. Dogs, cats and other domestic pets shall be considered to be at large if they are not under control of the owner or other responsible person by means of a leash of suitable strength not exceeding six feet in length;

(b) The director of parks and recreation may designate any park or area in a park as prohibited to pets or other animals. Any area so designated shall be clearly marked by signs indicating such prohibition. No person owning, controlling or caring for any animal shall allow such animal to enter any park area where such animal is prohibited.

Sec. 35-3. Fastening animals to fences, trees, etc., prohibited.

No person shall tie or fasten any animal to any fence, building, railing, tree, shrub or plant in or upon any park in the city.

Pet Rules:

Sec. 6-33. Animal noise.

(a) No person shall harbor or keep any dog which, by loud and frequent or habitual barking, yelping or howling shall cause reasonable annoyance of another person or persons;

Sec. 6-36. Running at large prohibited.

No person shall suffer or permit any animal owned or controlled by that person to run at large within the city.

Sec. 6-38. Animal litter.

(a) The owner of any animal or any person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner;

(b) It is unlawful for any person owning, keeping or harboring an animal to cause said animal to be on property, public or private, not owned or possessed by such person without having in his/her immediate possession a device for the removal of feces and depository for the transfer of animal feces to a receptacle located on property owned or possessed by such person. A device may include a plastic or paper bag which is used to recover animal feces;

(c) It is unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person to fail to remove feces left by such animal to a proper receptacle located on the property owned or possessed by such person;

(d) For the purposes of this Section, the term public property includes, without limitation, streets, sidewalks, boardwalks, trails, boulevards, playgrounds and parks;

Noise Rules:

Sec. 34-5. Disturbing the neighborhood.

No person, within the city, shall keep a dwelling, gaming area, party room, or meeting area which attracts people to the neighborhood at times or in such a manner that their arrival or leaving or activities while in the neighborhood result in an unreasonable disturbance of the usual peace, quiet, comfort, or decency of the neighborhood.

Sec. 34-6. Disorderly conduct.

(a) No person shall commit or suffer to be committed in any apartment or other dwelling owned, occupied or controlled by him, any rioting, quarreling, fighting, reveling, shouting, loud music or electronically amplified noise, or disorderly conduct which disturbs or annoys another person in a neighboring apartment or other dwelling, or in a neighboring building, or lawfully in the vicinity of said neighboring dwelling or building;

(b) No person within any public or private place shall take part in or incite or encourage any brawling, shouting, dancing, or noise production, which unreasonably disturbs others lawfully in the vicinity.

Sec. 40-10. Definitions, User Charge for Excessive Consumption of Police Services.

Nuisance event. An event requiring special security assignment in order to protect the public peace, health, safety and welfare. A nuisance event includes, but is not limited to, the following:

- (e) Loud and boisterous conduct, noises and activities that disturb the peace;
- (f) Events between 11:00 p.m. and sunrise which disturb the peace and tranquility of the neighborhood;
- (g) Congregating in a tumultuous, noisy or rowdy crowd;
- (h) Fighting or use of obscene or inflammatory language;
- (i) Loud music constituting a nuisance or disturbing the peace;
- (j) Activities causing excessive pedestrian or vehicular traffic and parking problems and congestion.

Duluth Police Department
Leigh Wright, West Area Commander

2030 North Arlington Avenue · Duluth, Minnesota · 55811
218-730-5452 · Email: lwright@duluthmn.gov · www.duluthmn.gov

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March 25, 2013

Regarding the use of Excessive Consumption of Police Services:

Once the Duluth Police Department deems a particular property a **Special Security Assignment**, a letter is sent to the property owner stating that fact. Over the next 90 days, the East and West Commanders will pay additional attention to the property and track nuisance type events to the property. For a property to become a Special Security Assignment there has to be a history of nuisance related calls for service. There is no solid number, but when an owner's property is placed on special security assignment, it is usually not a surprise to the property owner as we try to work with them prior to arriving at this point.

Police calls such as drugs, prostitution or related activity, unlicensed sales of alcohol, loud and boisterous conduct, noise and activities that disturb the peace as well as other calls which disturb the peace will be classified as a nuisance call and the property owner may be billed between \$250.00 - \$1,000 per incident during this time period. Domestic assaults are not included.

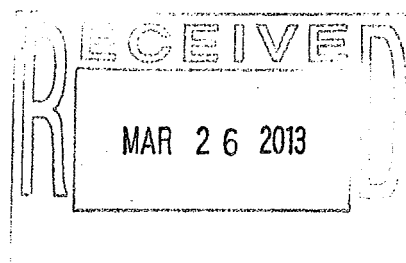
There is an appeal process and the property owner has ten days to appeal the process with the Chief of Police and the request needs to be in writing.

If the property continues to be a problem the Duluth Police Department will update the letter for another 90 days. The Police Department usually uses this process for problem properties and usually after we have tried other strategies. Let me know if I can answer other questions for you. My cell is 390 9296 in case you have a specific question.

Leigh Wright

Duluth Police Department

West Area Commander



Article III. User Charge for Excessive Consumption of Police Services.

Sec. 40-9. Purpose.

It is the intent of the city council by the adoption of this Chapter to impose on and collect a fee from the person or persons in charge of or responsible for nuisance events or activities that generate extraordinary cost to the city over and above the cost of providing normal law enforcement services and police protection citywide. (Ord. No. 9354, 12-15-1997, § 1.)

Sec. 40-10. Definitions.

For the purpose of this Chapter, the terms defined in this Section shall have the meanings ascribed to them:

Nuisance event. An event requiring special security assignment in order to protect the public peace, health, safety and welfare. A nuisance event includes, but is not limited to, the following:

- (a) Unlawful sale, possession, storage, delivering, giving, manufacture, cultivation or use of controlled substance;
- (b) Prostitution or prostitution-related activity;
- (c) Illegal gambling or gambling-related activity;
- (d) Unlicensed sales of alcoholic beverages or unlawful sales or gifts of alcoholic beverages by an unlicensed person or underage consumption at a specific location;
- (e) Loud and boisterous conduct, noises and activities that disturb the peace;
- (f) Events between 11:00 p.m. and sunrise which disturb the peace and tranquility of the neighborhood;
- (g) Congregating in a tumultuous, noisy or rowdy crowd;
- (h) Fighting or use of obscene or inflammatory language;
- (i) Loud music constituting a nuisance or disturbing the peace;
- (j) Activities causing excessive pedestrian or vehicular traffic and parking problems and congestion;
- (k) Indecent exposure or lewd conduct.

For the purposes of this Article, the term nuisance event shall not include an event of domestic abuse as that term is defined in Minnesota Statutes Section 518B.01 Subdivision 2(a).

Owner. A person or persons shown to be owner or owners of property on the property tax records of St. Louis County, Minnesota.

Personal service. Service by personally handing a copy to the intended recipient or by leaving a copy at the intended recipient's residence or place of business with a person of suitable age and discretion.

Police services fee. A fee imposed for law enforcement services associated with a special security assignment. Such fee shall be set in accordance with Section 31-6(a) of this Code and may be based on, but not limited to, salaries of police officers while responding to or remaining at the nuisance event, the pro rata cost of equipment, the cost of repairing city equipment and property and the cost of any medical treatment of injured police officers.

Responsible person. A person who owns the property where the nuisance event takes place, and/or a person in charge of the premises, and/or a person who organized or served as a host of the nuisance event. If the responsible person is a minor, then the parents or guardians of that minor will also be considered responsible persons.

Special security assignment. The assignment of police officers, services and/or equipment during a second or subsequent response to a nuisance event at a particular location after the service of a written notice to the responsible persons that a police services fee may be imposed for costs incurred by the city for any subsequent police response at such location. (Ord. No. 9354, 12-15-1997, § 1; Ord. No. 9618, 8-25-2003, § 1; Ord. No. 10126, 11-28-2011, § 2.)

Sec. 40-11. Initial police response to nuisance event.

When any police officer responds to any nuisance event and determines that there is a threat to the public peace, health, safety or general welfare, the police officer may serve a written notice by mail or

personal services to the responsible person or persons that any subsequent police response to that same location or address within a 90 day period shall be deemed a special security assignment and that the responsible person or persons may be liable for a police services fee. (Ord. No. 9354, 12-15-1997, § 1; Ord. No. 9618, 8-25-2003, § 2.)

Sec. 40-12. Subsequent police responses; liability.

If, after a written notice is served pursuant to this Article, a subsequent police response or responses are necessary to the same location or address within a 90 day period, then each such subsequent response or responses shall be deemed a special security assignment. Responsible persons who had previously received a notice of warning shall be jointly and severally liable for a police services fee for a special security assignment. The city reserves its rights to seek reimbursement for actual costs and damages exceeding \$1,000 through other legal remedies or procedures. (Ord. No. 9354, 12-15-1997, § 1; amended by Ord. No. 10027, 4-26-2010, § 1.)

Sec. 40-13. Cost; collection.

The chief of police shall notify the city finance director in writing of the performance of each special security assignment, of the name and address of the responsible person or persons, the date and time of the incident, the services performed and the amount of the police services fee. If the police services fee is in excess of \$250, the chief of police shall provide documentation to support the additional amount. The finance director shall thereafter cause appropriate billings to be made and be responsible for the collection of the police services fee. (Ord. No. 9354, 12-15-1997, § 1.)

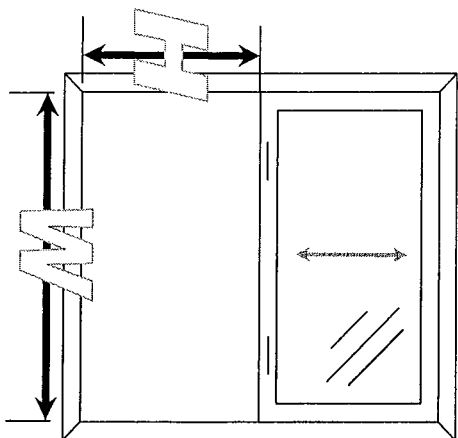
Sec. 40-14. Administrative appeal.

An administrative appeal of a police services fee may be made to the chief of police or his/her designee within ten days from the date of mailing of the billing. The request for a hearing shall be in writing and addressed to the chief of police and shall include a copy of the billing and grounds for the appeal. The chief of police or his/her designee may excuse or modify the service fee upon a finding that the responsible person or persons had made a good faith effort to remedy the situation or that the nuisance event was not the fault of the person or persons filing the appeal. (Ord. No. 9354, 12-15-1997, § 1.)

Sec. 40-15. Applicability of Article.

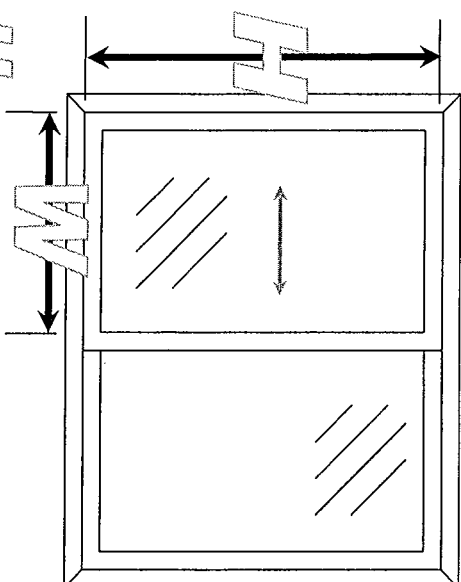
This Article shall not be deemed to authorize the imposition of a police services fee against a landlord for a police response initiated by a call from a tenant for police or emergency assistance in response to domestic abuse or any other conduct. (Ord. No. 9354, 12-15-1997, § 1.)

1) Check Window Height and Width



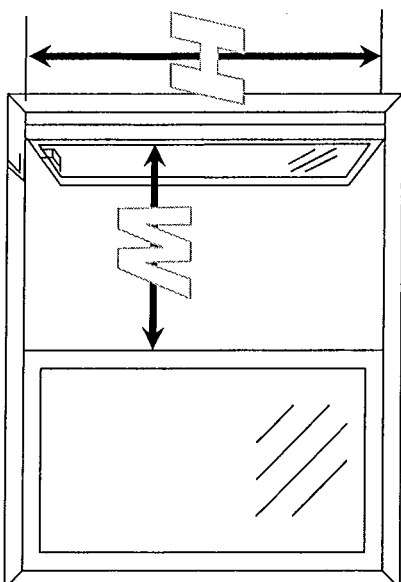
Is the clear openable height,

Is the clear openable width,



at least 24 inches?

at least 20 inches?



Yes ☐ No ☐

Yes ☐ No ☐

2) Check Window Opening Area (fill in the three blanks)

H

Openable height (inches)

W

Openable width (inches)

A

Openable area (square inches)

Is the clear openable area,

A

at least 820 square inches?

Yes ☐ No ☐

3) Check the distance from the floor to the bottom of opening

Is the distance,

S

from the floor to the finished sill

(bottom of opening) 44 inches or less?

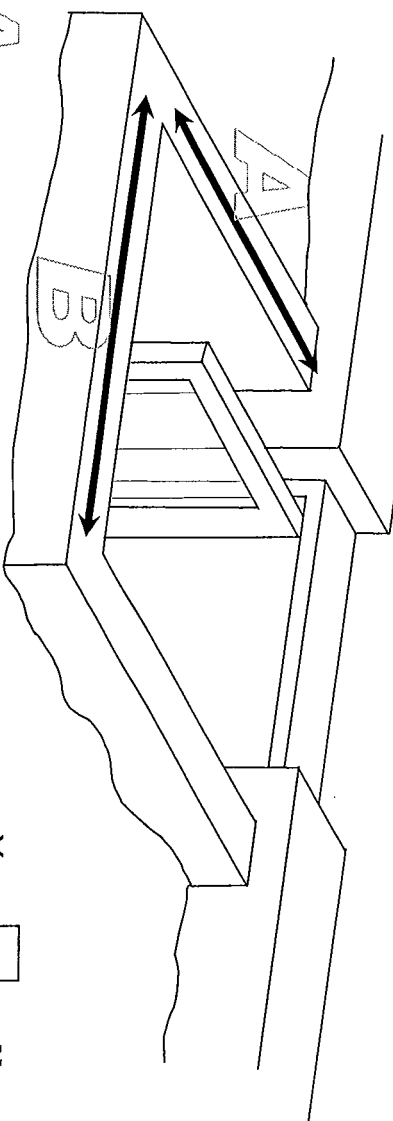
Yes ☐ No ☐



If you answered yes to all questions then the window should comply with the 2003 Minnesota State Fire Code.
For assistance: Minnesota State Fire Marshal Division (651) 201-7200; TTY: (651) 282-6555; firecode@state.mn.us

Window Well Worksheet When Installed On or After June 29, 1998

1) Check Window Well Dimensions



Is the clear horizontal distance,

A at least 36 inches?

Yes ☐ No ☐

Is the clear horizontal distance,

B at least 36 inches?

Yes ☐ No ☐

2) Check Window Well Opening Area (fill in the three blanks)

A **X** **B** = **Area**

Horizontal distance (inches)

Horizontal distance (inches)

Net horizontal opening (square inches)

Is the

Area

at least 1,296 square inches?

Yes ☐ No ☐

3) Check the vertical depth of the window well

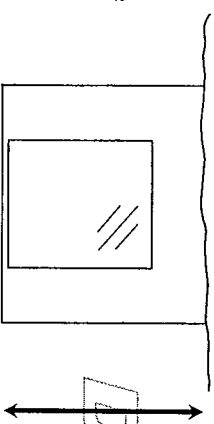
If the distance,

D

from the bottom of the well to the

top at grade is more than 44 inches, a ladder is required.

If a ladder is required, is one provided?



Yes ☐ No ☐

If you answered yes to all questions then the window should comply with the 2007 Minnesota State Fire Code
For assistance: Minnesota State Fire Marshal Division (651) 201-7200; TTY: (651) 282-6555; firecode@state.mn.us